

PCT



**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q90549

Nobuaki KUSHIDA, et al.

Appln. No.: 10/551,417

Group Art Unit: Unknown

Confirmation No.: 3997

Examiner: Unknown

Filed: September 30, 2005

For: NOVEL PHYSIOLOGICALLY ACTIVE SUBSTANCES PF127OA, B AND C  
SUBSTANCES

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements under 35 U.S.C. § 371", mailed August 28, 2006, for the above-identified application, Applicant advises that the names of the 4<sup>th</sup> and 5<sup>th</sup> inventors as shown on the front page of the International Publication are spelled incorrectly due to inadvertent typographical errors on the part of WIPO. Applicant further advises that the names of the 4<sup>th</sup> inventor "Fumikazu YOKOYAMA" and 5<sup>th</sup> inventor "Goh TSUJIUCHI" as they appear on the Declaration, submitted on September 30, 2005 along with the application, are the correctly spelled names and that the previously submitted Declaration is properly executed. Thus, Applicant submits that no further response to the outstanding Notification of Missing Requirements is necessary.

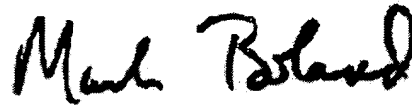
Response to Notification of Missing Requirements  
U.S. Application No. 10/551,417

In view of this, Applicant respectfully requests the Office to rescind the "Notification of Missing Requirements" mailed August 28, 2006 for the above-identified application. Also, a copy of the Notification is attached herewith.

Since the two months due date for the Response fell on Saturday October 28, 2006, the submission of the Response on Monday, October 30, 2006, is considered timely.

No fee is believed to be necessary; however, if necessary, the USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

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Mark Boland  
Registration No. 32,197

Date: October 30, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,417	Nobuaki Kushida	Q90549

INTERNATIONAL APPLICATION NO.
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PCT/JP04/04416

I.A. FILING DATE	PRIORITY DATE
03/29/2004	03/31/2003

23373  
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 SUITE 800  
 WASHINGTON, DC 20037

**DOCKETED****SEP 06 2006****CONFIRMATION NO. 3997****371 FORMALITIES LETTER**

\*OC000000020196535\*

Date Mailed: 08/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/30/2005
- English Translation of the IA filed on 09/30/2005
- Copy of the International Search Report filed on 09/30/2005
- Preliminary Amendments filed on 09/30/2005
- Information Disclosure Statements filed on 09/30/2005
- Oath or Declaration filed on 09/30/2005
- Request for Immediate Examination filed on 09/30/2005
- U.S. Basic National Fees filed on 09/30/2005
- Priority Documents filed on 09/30/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - The 4th and 5th inventor's names are spelled differently on the declaration than on the international application.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,417	PCT/JP04/04416	Q90549